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Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000

Art Unit : 2176
Examiner : Quoc A. Tran


Title : ENVIRONMENT-BASED BOOKMARK MEDIA

MAIL STOP APPEAL BRIEF - Patents
Commissioner for Patents
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Attached to this facsimile communication cover sheet is Brief On Appeal, based on the Notice of Appeal filed December 22, 2005, faxed this 22nd day of February, 2006, to the United States Patent and Trademark Office.

Respectfully submitted,

Date: February 22, 2006


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Attorney's Docket No.: 07844-427001 / P391

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael Kaplan et al. Art Unit : 2176
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Mail Stop Appeal Brief - Patents
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BRIEF ON APPEAL**(1) Real Party in Interest**

The real party in interest is Adobe Systems Incorporated.

(2) Related Appeals and Interferences

None.

(3) Status of Claims

Claims 1-46 are pending and stand rejected. The applicant appeals claims 1-46.

(4) Status of Amendments

There are no unentered amendments.

(5) Summary of Claimed Subject Matter

The claimed subject matter relates to using environment-based bookmark media. In particular, methods and apparatus, including computer program products, are provided for implementing an up-to-date multimedia preview of destinations within a network environment. See specification page 1, line 3; page 2, lines 2-4.

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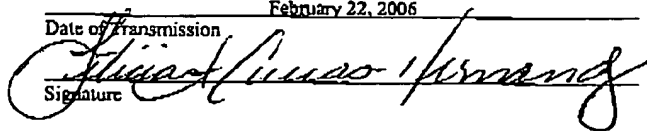
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Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 2 of 19

Attorney's Docket No.: 07844-427001 / P391

Claims 1 and 22 are directed, respectively, to a method and computer program product. A first user input is received on a client device bookmarking a remote destination displayed on the client device. *See* specification page 6, lines 11-13. In response to the first user input, a link to the destination and a link to a remote bookmark media object associated with the destination are stored on the client device. *See* specification page 2, lines 5-7; page 6, lines 11-13. A second user input is received on the client device requesting a display of a bookmark window. *See* specification page 6, lines 13-16. In response to the second user input, a bookmark window is displayed and the remote associated bookmark media object is retrieved. *See* specification page 2, line 8; page 6, lines 13-23; page 7, lines 2-4; FIG. 4. The displayed bookmark window includes a bookmark for the destination and the retrieved remote associated bookmark media object. *See* specification page 6, lines 22-30; FIGS. 4-5. The retrieved remote associated bookmark media object provides a representation of the destination. *See* specification page 4, lines 5-6. A third user input is received on the client device selecting the remote associated bookmark media object displayed in the bookmark window. *See* specification page 6, lines 19-21. In response to the third user input, the destination is accessed. *See* specification page 6, lines 19-21.

Claim 13 and 40 are directed, respectively, to a method and computer program product. A set of bookmark media objects are generated. *See* specification page 5, lines 26-27. Each bookmark media object corresponds to a network destination within a computing environment and provides a representation of the corresponding network destination. *See* specification page 4, lines 5-6; page 6, lines 11-15. The bookmark media objects are stored on one or more servers within the computing environment. *See* specification page 4, lines 23-29. Each bookmark media object is updated as a function of a state of the corresponding network destination. *See* specification page 2, lines 20-22; page 6, lines 1-2. In response to a request received from the client device, one or more bookmark media objects are provided to a remote client device, the client device having a location external to the computing environment. *See* specification page 6, lines 13-16. Thus, the bookmark media objects are generated and stored in a computing environment of the associated destination, not the computing environment of the client device.

Claim 31 is directed to a system. The system includes a remote server configured to store a bookmark media object, where the bookmark media object is associated with a destination

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 3 of 19

Attorney's Docket No.: 07844-427001 / P391

located on the server. *See* specification page 2, lines 12-13. The system also includes a client device communicatively coupled to the server and configured to, in response to a first user input, store a link to the destination and a link to a remote bookmark media object associated with the destination on the client device. *See* specification page 2, lines 15-17; page 6, lines 11-13. A web browser is also included in the system, the web browser executing in an operating environment provided by the client device. *See* specification page 2, lines 17-19. The web browser is configured to receive a second user input on the client device requesting display of a bookmark window. *See* specification see page 2, lines 17-19; page 6, lines 13-16. In response to the second user input, a bookmark window is displayed and the remote associated bookmark media object is retrieved. *See* specification page 2, lines 17-19. The displayed bookmark window includes a bookmark for the destination and the retrieved remote associated bookmark media object. *See* specification page 6, lines 22-30; FIGS. 4-5. The retrieved remote associated bookmark media object provides a representation of the destination. *See* specification page 4, lines 5-6. A third user input is received on the client device selecting the remote associated bookmark media object displayed in the bookmark window. *See* specification page 6, lines 19-21. In response to the third user input, the destination is accessed. *See* specification page 6, lines 19-20.

(6) Grounds of Rejection

Claims 1-3, 5-6, 8-11, 13-24, and 26-46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,085,226 ("Horvitz") in view of U.S. Patent No. 6,560,640 ("Smethers"). Claims 4, 7, 12, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Horvitz and Smethers in further view of U.S. Patent No. 6,313,855 ("Shuping").

(7) Argument

Claim 1. Claim 1 recites a method that includes receiving a first user input on a client device bookmarking a remote destination displayed on the client device. In response to that first user input, a link to the destination and a link to a remote bookmark media object associated with the destination are stored on the client device. Thus, two separate links are stored on the client

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 4 of 19

Attorney's Docket No.: 07844-427001 / P391

device when the user bookmarks a remote destination: a link to the remote destination itself and a link to a media object associated with that destination. Both the destination and the bookmark media object are remote from the client device.

The examiner states that Horvitz discloses storing both a link to a destination and a link to a bookmark media object associated with the destination at col. 7, line 60 to col. 8, line 10.

The applicant disagrees. The cited section of Horvitz reads, in pertinent part, as follows:

a user stationed at the client computer can access a desired web page by supplying the browser with a corresponding web address (in the form of a uniform resource locator--URL) for that page. The term "page", in this context, refers to content accessed, via a URL, including, e.g., text, graphics and other information. The address can be supplied through any of various ways, which illustratively include: direct keyboard entry by the user; selection amongst a stored list of addresses, i.e. so-called "bookmarks"; or "clicking", such as through appropriate manipulation of a mouse, on an appropriate hot-link, for that address, then appearing on a browser control bar, or a home or other web page currently being displayed by the browser.

All that the cited section of Horvitz discloses is that a web page, or destination, can be retrieved by providing a URL address for the destination in a browser. Horvitz discloses that a destination address can be provided from "bookmarks" provided by a list of stored addresses. The cited section, however, does not disclose or suggest that in response to a user input to bookmark a particular destination two distinct links are stored on the client device. The client device recited by claim 1 stores both a link to the destination (e.g., the destination address disclosed by Horvitz) and a link to a bookmark media object associated with the destination. The cited section fails to disclose or suggest storing any link other than a link to a destination. Thus, storing a link to a remote bookmark media object associated with a destination in addition to storing a link to a destination is plainly absent from Horvitz.

The examiner does not explicitly state how Horvitz discloses storing two distinct links when bookmarking a single destination. Instead, the examiner simply states that Horvitz's stored list of address is equivalent to bookmarking a destination. However, this simplification fails to address the two separate links stored on a client device when a user bookmarks a destination as required by claim 1.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 5 of 19

Attorney's Docket No.: 07844-427001 / P391

Claim 1 also recites, in response to a second user input, retrieving the remote associated bookmark media object. A bookmark window displays a bookmark for the destination and the retrieved remote associated bookmark media object. The retrieved remote associated bookmark media object provides a representation of the destination. Thus, when a user provides an input to display a bookmark window, the bookmark media object associated with the bookmarked destination is retrieved from a remote location (*e.g.*, according to the previously stored link to the remote bookmark media object).

The examiner states that Horvitz does not disclose displaying a bookmark and a retrieved remote bookmark media object associated with the bookmarked destination, but that Smethers does at col. 14, lines 34-60 and col. 11, line 56 to col. 12, line 21. The applicant disagrees.

The first cited section of Smethers, col. 14, lines 34-60, disclose a portion of the processing steps performed at a server when a bookmarked destination request is received from a user of a client device (*e.g.*, a mobile phone). *See* col. 14, lines 9-34. When a destination request is received at the server from the client, the server requests the appropriate destination corresponding to the user's request and delivers the destination to the user. *See* col. 14, lines 40-52. The cited section does not disclose or suggest retrieving a remote associated bookmark media object for presentation to the user of the client device. Only the destination web page is delivered to the client user.

Additionally, the delivered web page is not provided in response to a user input to display a bookmark window. Instead, the user already has a list of bookmarks to select from and the user input of the cited section is a request for a particular destination associated with a selected bookmark. *See* col. 13, lines 31-40; col. 14, lines 16-20.

The second cited section of Smethers, col. 11, line 56 to col. 12, line 21, also fails to disclose or suggest retrieving a remote associated bookmark media object. The cited section discloses a keypad bookmark manager interface (*See* FIG. 4) used to define bookmarks accessible by a wireless user. *See* col. 11, lines 57-64. A web page providing the keypad bookmark manager allows the user to set bookmarks for the user's wireless device, for example, using the user's personal computer. The user can input an address of the destination to be bookmarked along with a name identifying the bookmark. *See* col. 12, lines 14-17.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 6 of 19

Attorney's Docket No.: 07844-427001 / P391

Additionally, the user can set an assigned keypad number for selecting the bookmark from the user's wireless device. *See* col. 12, lines 17-31.

The keypad bookmark manager allows the user to define a list of bookmarks for later use on the user's wireless device, but does not retrieve anything. Therefore, the cited section does not disclose or suggest retrieving any bookmark media objects and providing them to the user.

Moreover, the keypad bookmark manager does not display a bookmark window that includes a bookmark media object providing a representation of the bookmarked destination. The cited section does not disclose or suggest presenting any objects providing a representation of a bookmarked destination. The keypad bookmark manager only provides information regarding the content of particular bookmarks, namely the URL address of the bookmark, the name of the bookmark, and the keypad number assigned to the bookmark. No representations of the bookmarked destination are provided as a bookmark media object. For these reasons, the rejection of claim 1 should be withdrawn.

Claim 13. Claim 13 recites a method that includes generating a set of bookmark media objects. Each bookmark media object corresponds to a network destination in a computing environment and provides a representation of the corresponding network destination. The bookmark media objects are stored in the computing environment of the destination. Each bookmark media object is updated as a function of a state of the destination. In response to a user request, one or more of the bookmark media objects are provided to a remote client device located external to the computing environment of the destination and the bookmark media object.

The examiner summarily rejects claim 13 as having the same subject matter as claim 1. However, claim 13 includes several limitations not found in claim 1. In particular, claim 13 requires the generation and storage of bookmark media objects in a same computing environment as their corresponding network destinations. Furthermore, the bookmark media objects are provided to a client device that is external to that computing environment. Moreover, claim 1 requires updating a bookmark media object as a function of a state of the corresponding destination.

Neither Horvitz nor Smethers disclose or suggest the generation and storage of bookmark media objects, each providing a representation of a network destination, in the computing

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 7 of 19

Attorney's Docket No.: 07844-427001 / P391

environment of the network destinations. In Horvitz, multiple web pages are retrieved by a client device from one or more remote locations and then rendered for presentation to a user. However, Horvitz does not disclose or suggest generating a set of bookmark media objects corresponding to a network destination in the same network environment of the destination and then providing the bookmark media objects to a remote client device.

Smethers discloses a system for defining a list of bookmarks, presenting the list of bookmarks to a wireless user, and retrieving the network destination associated with a selected bookmark. However, Smethers does not disclose or suggest the generation or storage of bookmark media objects, each providing a representation of a network destination, in the same computing environment of the network destinations. Furthermore, Smethers does not disclose or suggest providing one or more bookmark media objects to a client device having a location external to that computing environment.

Finally, neither Horvitz nor Smethers disclose or suggest updating a bookmark media object. Furthermore, Horvitz and Smethers do not disclose or suggest the updating as a function of a state of the corresponding destination as required by claim 13. For these reasons, the rejection of claim 13 should be withdrawn.

Claim 22. Claim 22 recites a computer-readable medium having instructions to cause a programmable processor to display a bookmark window in response to a user input. The displaying includes retrieving a remote associated bookmark media object associated with a bookmarked destination. For the same reasons set forth above with respect to claim 1, the rejection of claim 22 should also be withdrawn.

Claim 31. Claim 31 recites a system that includes a web browser configured to display a bookmark window in response to a user input. The displaying includes retrieving a remote associated bookmark media object associated with a bookmarked destination. For the same reasons set forth above with respect to claim 1, the rejection of claim 31 should also be withdrawn.

Furthermore, claim 31 recites a server for storing a bookmark media object associated with a destination located on the server. Neither Horvitz nor Smethers disclose or suggest a

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 8 of 19

Attorney's Docket No.: 07844-427001 / P391

server storing a bookmark media object associated with a destination where the destination is also located on the server. For this additional reason, the rejection of claim 31 should be withdrawn.

Claim 32. Claim 32 recites a bookmark media object as comprising a thumbnail. The thumbnail therefore provides an image as a representation of an associated bookmarked destination. Furthermore, the thumbnail is retrieved from a remote location and displayed in a bookmark window including the associated bookmark. The examiner states that Horvitz does not disclose the recited feature of claim 32, but that Smethers does at col. 7, lines 15-30, specifically in reference to an "iconic screen". The applicant respectfully disagrees.

The cited section discloses the structural components of a wireless device such as a display screen and a keypad for interacting with the wireless device. *See* col. 7, lines 17-20. The cited section further states that other input means for interacting with the wireless device can be provided including softkeys and iconic screens. *See* col. 7, lines 26-29. However, the iconic screen is simply an interface (e.g. a graphical user interface) with which the user can interact with a device, for example access menus and select applications. The cited section does not disclose or suggest that the iconic screen provides a bookmark media object as a thumbnail providing a representation of an associated bookmarked destination. For these reasons, the rejection of claim 32 should be withdrawn.

Claim 40. Claim 40 stands rejected as unpatentable over Horvitz in view of Smethers. Claim 40 recites generating a set of bookmark media objects and providing the bookmark media objects to a remote client device. For the same reasons set forth above with respect to claim 13, the rejection of claim 32 should be withdrawn.


Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 9 of 19

Attorney's Docket No.: 07844-427001 / P391

This Brief On Appeal is based on the Notice of Appeal filed December 22, 2005. Please apply the \$500 brief fee and any other charges or credits to Deposit Account No. 06-1050.

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Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 10 of 19

Attorney's Docket No.: 07844-427001 / P391

Appendix of Claims

Listing of Claims:

1. A method comprising:
receiving a first user input on a client device bookmarking a remote destination displayed on the client device;
in response to the first user input, storing a link to the destination and a link to a remote bookmark media object associated with the destination on the client device;
receiving a second user input on the client device requesting a display of a bookmark window;
in response to the second user input, displaying a bookmark window, retrieving the remote associated bookmark media object, including in the displayed bookmark window a bookmark for the destination and the retrieved remote associated bookmark media object, the retrieved remote associated bookmark media object providing a representation of the destination;
receiving a third user input on the client device selecting the remote associated bookmark media object displayed in the bookmark window; and
in response to the third user input, accessing the destination.
2. The method of claim 1 further comprising storing on the client device a set of references to a plurality of bookmark media objects in response to a user input bookmarking each corresponding remote destination.
3. The method of claim 1, wherein accessing the network destination comprises retrieving a web page corresponding to the selected bookmark media object.
4. The method of claim 1, wherein accessing the network destination comprises retrieving a three-dimensional environment corresponding to the selected bookmark media object.
5. The method of claim 1, wherein presenting the bookmark media object comprises retrieving the bookmark media objects from one or more hosts.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 11 of 19

Attorney's Docket No.: 07844-427001 / P391

6. The method of claim 1 wherein presenting the bookmark media object comprises displaying at least one thumbnail.
7. The method of claim 1, wherein presenting the bookmark media object comprises displaying a matrix of bookmark media objects.
8. The method of claim 1 wherein presenting the bookmark media object comprises displaying a stream of video.
9. The method of claim 1 wherein displaying the bookmark media object comprises outputting audible sounds.
10. The method of claim 1 and further including:
determining a status of the bookmark media object; and
presenting a default bookmark media object when the status indicates the corresponding bookmark media object is not available.
11. The method of claim 1, wherein the bookmark media object represents a current state of the corresponding network destination.
12. The method of claim 1, wherein the bookmark media object represents an entry point into three-dimensional content defined by the web pages.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 12 of 19

Attorney's Docket No.: 07844-427001 / P391

13. A method comprising:

generating a set of bookmark media objects, each bookmark media object corresponding to a network destination within a computing environment, each bookmark media object providing a representation of the corresponding network destination;

storing the bookmark media objects on one or more servers within the computing environment;

updating each bookmark media object as a function of a state of the corresponding network destination; and

in response to a request received from the client device, providing one or more bookmark media objects to a remote client device, the client device having a location external to the computing environment.

14. The method of claim 13, wherein updating each bookmark media object comprises updating each bookmark media object as a function of a current state of the corresponding network destination.

15. The method of claim 13, wherein updating each bookmark media object comprises updating each bookmark media object as a function of the information received from a remote user.

16. The method of claim 13, wherein the set of bookmark media objects is generated by a server within the computing environment, and further wherein updating each bookmark media object comprises updating each bookmark media object as a function of host-determined conditions.

17. The method of claim 13, wherein updating each bookmark media object comprises updating each bookmark media object when content of the corresponding network destination is changed.

18. The method of claim 13, wherein generating the set of bookmark media objects includes generating a thumbnail for a first bookmark media object in the set.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 13 of 19

Attorney's Docket No.: 07844-427001 / P391

19. The method of claim 13, wherein generating the set of bookmark media objects includes generating a video stream for a first bookmark media object in the set.

20. The method of claim 13, wherein generating the set of bookmark media objects includes generating an audio stream for a first bookmark media object in the set.

21. The method of claim 13 further comprising communicating the bookmark media objects to a client device for display to a user.

22. A computer-readable medium having instructions stored thereon to cause a programmable processor to:

receive a first user input on a client device bookmarking a remote destination displayed on the client device;

in response to the first user input, store a link to the destination and a link to a remote bookmark media object associated with the destination on the client device;

receive a second user input on the client device requesting a display of a bookmark window;

in response to the second user input, display a bookmark window, retrieving the remote associated bookmark media object, including in the displayed bookmark window a bookmark for the destination and the retrieved remote associated bookmark media object, the retrieved remote associated bookmark media object providing a representation of the destination;

receive a third user input on the client device selecting the remote associated bookmark media object displayed in the bookmark window; and

in response to the third user input, access the destination.

23. The computer-readable medium of claim 22, wherein the instructions cause the programmable processor to store on the client device a set of references to a plurality of bookmark media objects in response to a user input bookmarking each corresponding remote destination.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 14 of 19

Attorney's Docket No.: 07844-427001 / P391

24. The computer-readable medium of claim 22, wherein the instructions cause the programmable processor to retrieve a web page corresponding to the selected bookmark media object.

25. The computer-readable medium of claim 22, wherein the instructions cause the programmable processor to retrieve a three-dimensional environment corresponding to the selected bookmark media object.

26. The computer-readable medium of claim 22, wherein the instructions cause the programmable processor to present the bookmark media object by displaying at least one thumbnail.

27. The computer-readable medium of claim 22, wherein the instructions cause the programmable processor to present the bookmark media object by displaying a stream of video.

28. The computer-readable medium of claim 22, wherein the instructions cause the programmable processor to output audible sounds in response to at least one audio signal.

29. The computer-readable medium of claim 22, wherein the instructions cause the programmable processor to determine a status of the bookmark media object; and present a default bookmark media object when the status indicates the corresponding bookmark media object is not available.

30. The computer-readable medium of claim 22, wherein each bookmark media object represents a current state of the corresponding network destination.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 15 of 19

Attorney's Docket No.: 07844-427001 / P391

31. A system comprising:

a remote server, the remote server configured to store a bookmark media object, wherein the bookmark media object is associated with a destination located on the server;

a client device communicatively coupled to the server and configured to, in response to a first user input, store a link to the destination and a link to a remote bookmark media object associated with the destination on the client device; and

a web browser executing in an operating environment provided by the client device, wherein the web browser is configured to:

receive a second user input on the client device requesting display of a bookmark window;

in response to the second user input, display a bookmark window, retrieving the remote associated bookmark media object, including in the displayed bookmark window a bookmark for the destination and the retrieved remote associated bookmark media object, the retrieved remote associated bookmark media object providing a representation of the destination;

receive a third user input on the client device selecting the remote associated bookmark media object displayed in the bookmark window; and

in response to the third user input, access the destination.

32. The system of claim 31, wherein the bookmark media object comprises a thumbnail.

33. The system of claim 31, wherein the bookmark media object comprises an audio stream.

34. The system of claim 31, wherein the bookmark media object comprises a video stream.

35. The system of claim 31, wherein a client device configured to store references to the bookmark media object on the web server.

36. The system of claim 31, wherein the web server is configured to update the bookmark media object as a function of a current state of the corresponding network destination.

37. The system of claim 36, wherein the web server is configured to update the bookmark media object as a function of information received from the web browser.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 16 of 19

Attorney's Docket No.: 07844-427001 / P391

38. The system of claim 36, wherein the web server is configured to update the bookmark media object when content of the network destination is changed.

39. The method of claim 1, wherein the bookmark media object when presented to a user provides a multimedia preview of the corresponding destination.

40. A computer program product, tangibly stored on a computer readable medium, comprising instructions operable to cause a programmable processor to:

generate a set of bookmark media objects, each bookmark media object corresponding to a network destination within a computing environment, each bookmark media object providing a representation of the corresponding network destination;

store the bookmark media objects on one or more servers within the computing environment;

update each bookmark media object as a function of a state of the corresponding network destination; and

in response to a request received from the client device, provide one or more bookmark media objects to a remote client device, the client device having a location external to the computing environment.

41. The product of claim 40, wherein instructions to update each bookmark media object comprise instructions to update each bookmark media object as a function of a current state of the corresponding network destination.

42. The product of claim 40, wherein the set of bookmark media objects is generated by a server within the computing environment, and further wherein instructions to update each bookmark media object comprise instructions to update each bookmark media object as a function of host-determined conditions.

43. The product of claim 40, wherein instructions to update each bookmark media object comprise instructions to update each bookmark media object when content of the corresponding network destination is changed.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 17 of 19

Attorney's Docket No.: 07844-427001 / P391

44. The product of claim 40, wherein instructions to generate a set of bookmark media objects comprise instructions to generate a thumbnail for a first bookmark media object in the set.

45. The product of claim 40, wherein instructions to generate a set of bookmark media objects comprise instructions to generate a video stream for a first bookmark media object in the set.

46. The product of claim 40, wherein instructions to generate a set of bookmark media objects comprise instructions to generate an audio stream for a first bookmark media object in the set.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 18 of 19

Attorney's Docket No.: 07844-427001 / P391

Evidence Appendix

None.

Applicant : Michael Kaplan et al.
Serial No. : 09/594,054
Filed : June 14, 2000
Page : 19 of 19

Attorney's Docket No.: 07844-427001 / P391

Related Proceedings Appendix

None.